**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**
**&**
**THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID**

**MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929**

**LA.App..No. 1549 of 2005**
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**LAR.41/1998 OF SUB COURT,ERNAKULAM**
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**APPELLANT: RESPONDENT NO.1:**
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**THE STATE OF KERALA**

**BY GOVERNMENT PLEADER SRI. LATHA**

**RESPONDENTS: CLAIMANTS & ADDL.RESPONDENT NO.2;**
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1. **SMT. KAVU AMMA, W/O. AMMUNNI NAIR, PUNATHIL, IRIMPANAM (DIED).**

2. **SMT. JANAKI AMMA, D/O. KAVU AMMA, PUNATHIL IRIMPANAM.**

3. **SMT. BHARGAVI AMMA, D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

4. **SMT. VIJAYALAKSHMI @ VIJAYAM, D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

5. **SMT. NALINI, D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

6. **SRI.BALAKRISHNA MENON, S/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

7. **SMT. BHARGAVI, W/O. BHASKARA MENON, PUNATHIL, IRIMPANAM.**

8. **SMT. PRASANNA VIJAYAKUMAR, D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

9. **SMT. SUJATHA VENUGOPAL, D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

**10. SMT. SUSHAMA REGHUNANDANAN,**
**D/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

**11. SRI. AJITHA B.MENON,**
**S/O. KAVU AMMA, PUNATHIL, IRIMPANAM.**

**12. SMT. JYOTHI B. MENON,**
**PUNATHIL, IRIMPANAM.**

**13. INDIAN OIL CORPORATION LTD.,**
**REGD. OFFICE AT G-9, ALIYAVUR JUNG MARG,**
**BANDRA EAST, MUMBAI-51.**

**BY ADV. SRI.SREEPRAKASH K.NAIR**
**SMT.K.B.SUJATHA**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON IA NO. 4208/2005 IN L.A.A NO. 1549/2005.**

**DISMISSED**

**22/10/2007.** **SD/- KURIAN JOSEPH, JUDGE.**
**SD/- HARUN-UL-RASHID, JUDGE.**

*True copy*

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**KURIAN JOSEPH & HARUN-UL-RASHID, JJ.**

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**L.A.A.No.1549 of 2005**

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**Dated: October 22, 2007**

**JUDGMENT**

**Kurian Joseph, J.**

This is an appeal filed by the State against the judgment and decree in LAR No.41/1998 on the file of the III Addl. Sub Court, Ernakulam. The Reference Court placed reliance on Ext.A4 judgment in LAR No.151/1997. The acquisition is for the LPG Bottling Plant. It is seen that the relied on judgment which was under appeal in LAA No.75/2002 was allowed by a common judgment in LAA No.724/2000 and connected cases. The land value has been re-fixed at Rs.12500/- per Are. For parity of reasons we allow this appeal and fix the land value at Rs.12500/- per Are. We make it clear that the claimants shall be entitled to all the statutory benefits including interest on solatium.

**KURIAN JOSEPH**
**JUDGE**

**HARUN-UL-RASHID**
**JUDGE.**

mt/-